

KENNER LAW FIRM, P.C.
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Brett A. Greenfield, SBN 217343
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818 995 1195
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Attorney for Defendant Josef F. Boehm

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA

Sally C. Purser,

Plaintiff,

v.

Josef F. Boehm, Allen K.
Bolling, and Bambi Tyree,
Defendants.

**AFFIDAVIT OF BRETT A. GREENFIELD
IN SUPPORT OF MOTION TO SET ASIDE
SUMMARY JUDGMENT**

CASE NO. : A05-0085 (JKS)

AFFIDAVIT IN SUPPORT OF MOTION TO SET ASIDE PARTIAL
SUMMARY JUDGMENT ORDER

COMES NOW Brett A. Greenfield being first duly sworn and avers
as follows:

1. My name is Brett A Greenfield.
2. I have personal knowledge of the facts contained within this affidavit.
3. I am an attorney associated with The Law Offices of David Kenner as of September 1, 2006.
4. Prior to September 1, 2006, I was a partner at the firm of Fisher & Greenfield, a Partnership Of Professional law

1 Corporations.

2 5. On July 12, 2006, I received a call from David Kenner asking
3 me to assist him with this case. He had been injured in a fall on
4 June 19, 2006 and required emergency hip replacement surgery. That
5 surgery was followed by a variety of medical complications. The
6 injury, caused by a fall, resulted in the need for emergency hip
7 replacement surgery. He remained under supervised medical care or
8 otherwise limited to his home until August 30, 2006. During
9 September 2006, Mr. Kenner has gradually returned to to his office
10 in a full time capacity.

11
12 6. On July 12, 2006 I contacted Darryl Jones, opposing counsel,
13 and notified him of Kenner's medical issues. Mr. Jones, agreed to
14 stipulate to an extension of time to file the response until August
15 2, 2006. He also agreed to file the notice of stipulation as a
16 matter of professional courtesy. The stipulation was prepared and
17 sent via email to Mr. Jones on July 14, 2006. Mr. Jones filed the
18 stipulation after the response due date on July 18, 2006.

19 7. I am not familiar with the preferred methods of practice in
20 Alaska. In the jurisdiction where I practice, it is not uncommon to
21 file a stipulation instead of a request for extensions under the
22 state or federal rule. Now that I am familiar with this Court's
23 preference for stronger oversight of its calendaring and case
24 management, that error will not occur again.

25 I declare the foregoing to be true and correct under the penalty of
26 perjury. Executed this 13th day at Encino, California.
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Brett A. Greenfield

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4 Attorney for Josef F. Boehm
5

6 IN THE UNITED STATES DISTRICT COURT DISTRICT OF ALASKA

7 Salley C. Purser,

) CASE NO.: A05-0085

8
9 Plaintiff,

) CERTIFICATE OF SERVICE

10 v.

) DATE: September 15, 2006
) TIME: 8:30 a.m.

11 Joeseef F. Boehm, Allen K.
Bolling, Leslie J. Williams, Jr.)
12 and Bambi Tyree,

13 Defendants.
14

15 This is to Certify that on or about September 15, 2006 a true
16 and correct copy of the attached documents were caused to be mailed
17 to the following parties of record:

18
19 Bambi Tyree
Inmate No: 13016-006
20 FCI Dublin
5701 8th Street-Camp Parks
21 Dublin, CA 94568
C.M. No.: 7002 2410 0006 6742 2539

22 Allen K. Bolling
23 Inmate No: 14911-006
USP Terre Haute
24 U.S. Penitentiary
P.O. Box 12015
25 Terre Haute, IN 47801
C.M. 7002 2410 0006 6742 2188
26
27
28

1 The following parties were served electronically on September 15,
2 2006:

3 **Darryl L. Jones**

4 lodj.federalnotices@yahoo.com

5
6
7 KENNER LAW FIRM, P.C.

8
9 By: 

10 David E. Kenner,

11 Attorney for Defendant

12 Josef Boehm
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